

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



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Application of Southern California
Edison Company (U338E) for authority
to Implement and Recover in Rates the
Cost of its Proposed Solar Photovoltaic
(PV) Program.

Application 08-03-015
(Filed March 27, 2008)

**COMMENTS OF THE OFFICE OF RATEPAYER ADVOCATES
TO PROPOSED DECISION GRANTING PETITION FOR MODIFICATION
AND TO TERMINATE THE SOLAR PHOTOVOLTAIC PROGRAM**

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I. INTRODUCTION

Pursuant to Rule 16.4 (f) of the Commission's Rules of Practice and Procedure, the Office of Ratepayer Advocates (ORA) respectfully submits these comments to the ALJ's proposed *Decision Granting the Petition for Modification and to Terminate the Solar Photovoltaic Program*. The proposed decision (PD) grants Southern California Edison's (SCE) Petition for Modification (Petition or PFM) of Decision (D.) 14-06-048, filed January 15, 2016.

ORA supports the PD, which terminates the Solar Photovoltaic Program (SPVP). ORA recommends the Commission make additional clarifications to Conclusion of Law 4 in D.14-06-048 to maintain consistency with the findings in the PD.

II. DISCUSSION

In D.14-06-048, the Commission required SCE to procure no less than 115 megawatts (MW) under the independent power producer (IPP) portion of its SPVP.¹ D.14-06-048 required SCE to propose one of three options if it fell short in procuring SPVP's remaining target: (1) terminate the SPVP program, (2) move remaining MW capacity into the RAM program, or (3) move remaining MW into the FiT program (i.e., the Renewable Market Adjusting Tariff, "ReMAT"). In response to SCE's Petition, the PD finds that, "SCE justified why termination of the SPVP is reasonable and why the other potential alternative options identified in D.14-06-048 are not appropriate solutions,"² and appropriately modifies D.14-06-048 with new Ordering Paragraph 8, which states, "The Solar Photovoltaic Program is hereby terminated entirely."³

ORA supports the termination of SPVP. However, the PD errs in its proposed modifications to Conclusion of Law 4 of D.14-06-048. In Appendix 1 of the PD, Conclusion of Law 4 shows the following redline modification:

¹ D.14-06-048, p. 5.

² PD, Finding of Fact 10.

³ PD, Appendix 1 "Adopted Modifications to Specified Conclusions of Law and Ordering Paragraphs in Decision 14-06-048," p. 2, New Ordering Paragraph 8.

Conclusions of Law (as originally numbered in D.14-06-048)

4. SCE's authority, granted in D.12-02-035, to develop less than 115 MW, ~~or to seek other relief such as extending the deadline for procurement of IPP MW, by Tier 2 Advice Letter 180 days before the end of SPVP,~~ should be rescinded.⁴

As a standalone provision, the proposed edit Conclusion of Law 4 does not: (1) specifically identify SPVP as the program being rescinded, and (2) clarify whether SCE is still obligated to procure up to 115 MWs of solar PV in the Renewables Portfolio Standard (RPS) program in absence of SPVP, consistent with the findings made in the PD. The adopted modifications to D. 14-06-048 should harmonize with the Commission's final decision granting the PFM.⁵ ORA recommends the Commission resolve these errors.

SCE's recommends a redline edit to Conclusion of Law 4 based on similar concerns. SCE proposes,

4. SCE's authority, granted in D.12-02-035, to develop less than 115 MW, ~~or to seek other relief such as extending the deadline for procurement of IPP MW, by Tier 2 Advice Letter 180 days before the end of SPVP,~~ should no longer be rescinded.

This proposed edit is confusing and should not be adopted.⁶ Instead, ORA recommends the Commission adopt the following:

⁴ PD, Appendix 1, Conclusion of Law 4.

⁵ Specifically, the PD does not require the transfer of the remaining SPVP MW target into another procurement program. The PD's Finding of Fact 11 and 12 state,

11. It is inappropriate to transfer the remaining SPVP MW to the RAM program because SCE's RAM program is complete and is terminating.

12. It is inappropriate to transfer the remaining SPVP MW to SCE's ReMAT Program (*i.e.* Feed-in Tariff Program).

The PD explains none of the other options identified in D.14-06-048 offer a feasible or superior alternative to program termination because transfer of the existing SPVP capacity requirement to the RAM program is not a suitable alternative and transferring MW from the SPVP to the ReMAT program would also be problematic. PD, at pp. 10-11. Modifications to D.14-06-048 should reflect these findings.

⁶ PTM, Appendix C, p. C-1, Conclusion of Law 4.

Conclusions of Law (ORA's Redline)

4. The SPVP should be terminated. SCE's authority, granted in D.12-02-035, to develop less than 115 MW of solar PV in SPVP, or to seek other relief such as extending the deadline for procurement of IPP MW, by Tier 2 Advice Letter 180 days before the end of SPVP, should be rescinded. SCE has no further obligation to procure up to 115 MWs of solar PV from any other program to meet its RPS procurement obligations.

III. CONCLUSION

ORA supports the Proposed Decision granting SCE's PFM to terminate SPVP. To maintain consistency with the findings of the Proposed Decision, ORA recommends the Commission modify D.14-06-048 using ORA's proposed clarifications.

Respectfully submitted,

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